

**Amendments to and Listing of the Claims:**

Please cancel claims 3 and 5 and amend claims 1 and 4 so that the claims read as follows:

1. (Currently Amended) A negative electrode for a non-aqueous electrolyte secondary battery comprising: 100 parts by weight of a carbon material selected from the group consisting of an amorphous carbon and a low crystalline carbon and having irreversible capacity during the an initial charge and discharge; and 20 to 150 parts by weight of a lithium-containing complex nitride represented by the general formula  $Li_{3-x}M_xN$  wherein M is at least one selected from the group consisting of Co, Ni, Mn and Cu, and wherein  $0.2 \leq X \leq 0.8$ .
2. (Original) The negative electrode for a non-aqueous electrolyte secondary battery in accordance with claim 1, wherein said lithium-containing complex nitride is  $Li_{3-x}Co_xN$  wherein  $0.2 \leq X \leq 0.55$ .
3. (Canceled)
4. (Currently Amended) The negative electrode for a non-aqueous electrolyte secondary battery in accordance with claim 3 1, wherein said low crystalline carbon is in a fibrous form having a mean fiber diameter of 1 to 50  $\mu m$  and a mean fiber length of 10 to 200  $\mu m$ .
5. (Canceled)
6. (Original) A non-aqueous electrolyte secondary battery comprising: a positive electrode comprising a lithium-containing complex oxide capable of absorbing and desorbing lithium ion; the negative electrode in accordance with claim 1; and a non-aqueous electrolyte interposed between said positive electrode and negative electrode.